

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
CENTRAL DIVISION**

MONTEGO MCCLURE,
ADC #145695

PLAINTIFF

v.

4:20-cv-00147-JM-JJV

JOSEPH BIVENS, Lieutenant,
Varner Unit Super Max, ADC

DEFENDANT

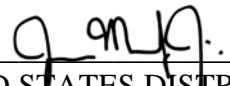
ORDER

The Court has reviewed the Recommendation submitted by United States Magistrate Judge Joe J. Volpe and Plaintiff's objections. After conducting a *de novo* review, this Court adopts the Recommendation in its entirety as its findings in all respects.

IT IS THEREFORE ORDERED that:

1. The Amended Complaint (Doc. No. 4) is DISMISSED WITHOUT PREJUDICE for failure to state a claim upon which relief may be granted.
2. Dismissal of this action is a "strike" for purposes of 28 U.S.C. § 1915(g).
3. It is certified, pursuant to 28 U.S.C. § 1915(a)(3), that an *in forma pauperis* appeal from this Order and the accompanying Judgment would not be taken in good faith.

Dated this 3rd day of April, 2020.



UNITED STATES DISTRICT JUDGE